

Book 09542 Page 00170

99-0029569

At 12:15pm On Feb 12 1999
Recorded at 201844
Recorded at 25.00
Recorded at 6.00
OC/Mgmt: 1
OC/Hum: 99-0029569
Deputy - Jane Esteves

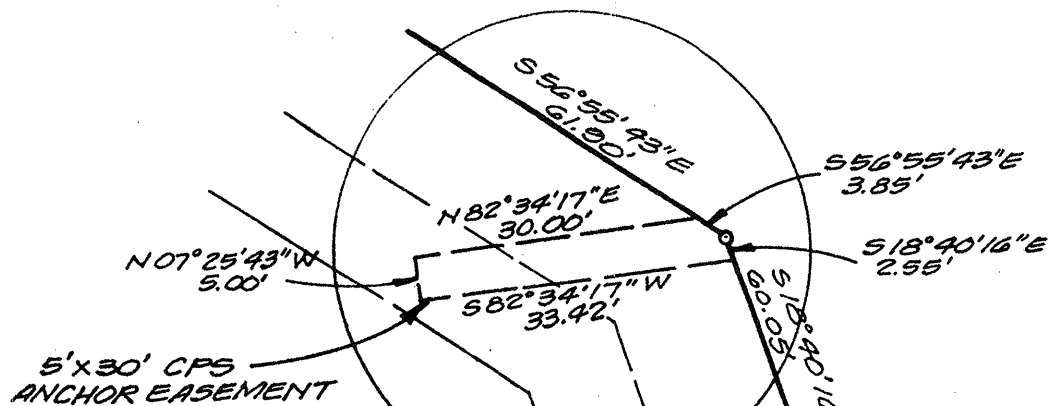
At time of recording this instrument was found to be a true and correct copy, disclosed paper, and not a reproduction, etc.

NOTE: The City of San Antonio as part of its electric and gas system (City Public Service Board) is hereby dedicated the easements and right-of-way for electric and gas distribution and service facilities in the areas designated on this plat as "Electric Easement," "Gas Easement," "Anchor Easement," "Service Easement," "Overhead Easement," "Utility Easement," and "Transformer Easement" for the purpose of installing, constructing, reconstructing, maintaining, removing, inspecting, patrolling, and erecting poles, hanging or burying wires, cables, conduits, pipelines or transformers, each with its necessary appurtenances together with the right of ingress and egress over grantor's adjacent land, the right to relocate said facilities within said easement and right-of-way areas, and the right to remove from said lands all trees or parts thereof, or other obstructions which endanger or may interfere with the efficiency of said lines or appurtenances thereof. It is agreed and understood that no buildings, concrete slabs, or walls will be placed within said easement area.

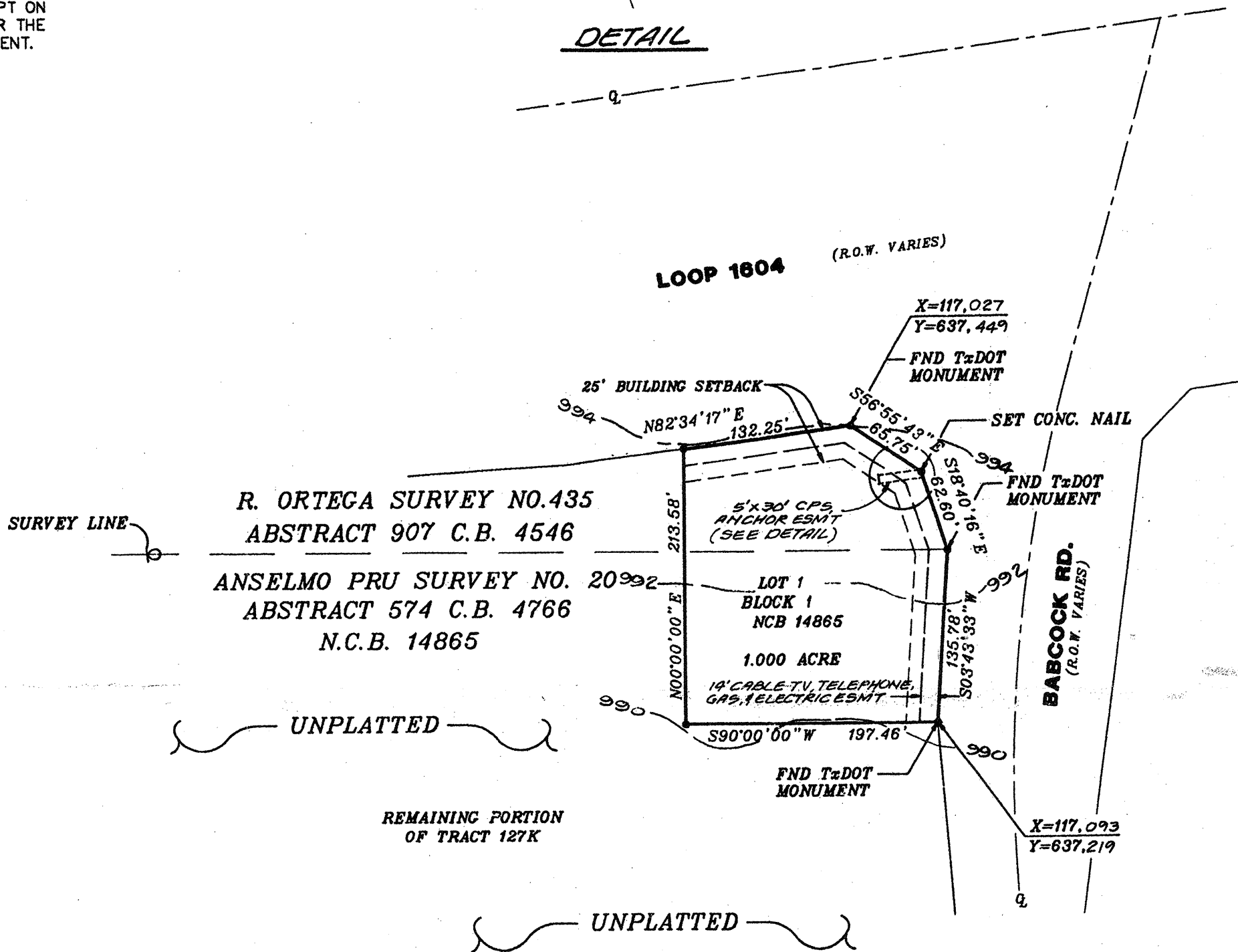
Any CPS monetary loss resulting from modifications required of CPS equipment, located within said easement, due to grade changes or ground elevation alterations shall be charged to the person or persons deemed responsible for said grade changes or ground elevation alteration.

WASTEWATER EDU NOTE

THE NUMBER OF WASTEWATER EQUIVALENT DWELLING UNITS (EDU'S) PAID FOR THIS SUBDIVISION PLAT ARE KEPT ON FILE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY THE PLANNING DEPARTMENT.



DETAIL



NOTES

- (1) For residential development directly adjacent to State right-of-way, the Developer shall be responsible for adequate set-back and/or sound abatement measures for future noise mitigation.
- (2) Owner/Developer is responsible for preventing any adverse impact to the existing drainage system within the highway right-of-way.
- (3) Maximum access points to State highway from this property being platted will be regulated as directed by "Regulations For Access Driveways To State Highways", based upon the originally platted highway frontage.

NOTES:

1. BEARING SYSTEM IS BASED ON T&DOT R.O.W. MAP.
2. MONUMENTATION IS BASED ON IRON RODS FOUND ON GROUND.
3. COORDINATES SUPPLIED BY THE CITY OF SAN ANTONIO.
4. ALL 1/2" IRON RODS SET WITH YELLOW CAP MARKED PAPE-DAWSON UNLESS OTHERWISE NOTED.

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT, AND TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE, EXCEPT FOR THOSE VARIANCES THAT MAY HAVE BEEN GRANTED BY THE PLANNING COMMISSION OF THE CITY.

Samuel G. Dawson
REGISTERED PROFESSIONAL ENGINEER
64485

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 30th DAY OF MAY
A.D. 19 96
Richard Olivas
NOTARY PUBLIC
BEXAR COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BEXAR

THE OWNER OF THE LAND SHOWN ON THIS PLAT IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER-COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

HERAP, INC.
OWNER
Helen S. Jacobson

STATE OF TEXAS
COUNTY OF BEXAR

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED *Helen S. Jacobson*, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 28th DAY OF May
A.D. 1996
Betty Diekmann Breen
NOTARY PUBLIC
BEXAR COUNTY, TEXAS

SUBDIVISION PLAT ESTABLISHING 1604/BABCOCK ENTERPRISE ZONE, UNIT-1

A 1.000 ACRE TRACT OF LAND BEING A PORTION OF TRACT 127K, NEW CITY BLOCK 14865, BEING OUT OF ANSELMO PRU SURVEY NO. 20, ABSTRACT NO. 574 COUNTY BLOCK 4766, AND R. ORTEGA SURVEY NO. 435, ABSTRACT NO. 907 COUNTY BLOCK 4546, IN BEXAR COUNTY, TEXAS.

THIS PLAT OF 1604/BABCOCK ENTERPRISE ZONE, UNIT-1 HAS BEEN SUBMITTED TO THE CITY OF SAN ANTONIO, TEXAS, AND IS HEREBY APPROVED BY THE DIRECTOR OF PLANNING IN ACCORDANCE WITH V.T.C.A., LOCAL GOVERNMENT CODE SECTION 212.0065.
DATED THIS 10 DAY OF JUNE A.D. 19 96
BY: *[Signature]*
DIRECTOR OF PLANNING

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

Stephen A. Kachmar
REGISTERED PROFESSIONAL LAND SURVEYOR
3032

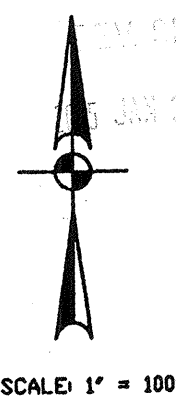
SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 30th DAY OF MAY
A.D. 19 96
Richard Olivas
NOTARY PUBLIC
BEXAR COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BEXAR

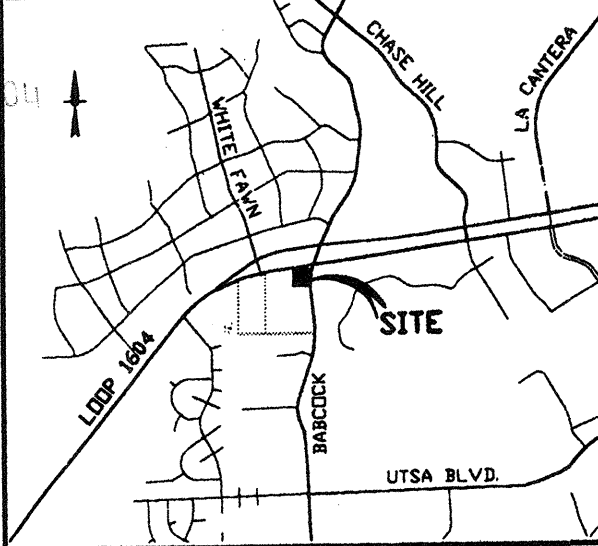
Geary Rickhoff
COUNTY CLERK OF SAID COUNTY,
DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE 12th DAY OF Feb A.D. 1999 AT 12:16 P.M. AND DULY RECORDED IN THE 16th DAY OF Feb A.D. 1999 AT 2:21 A.M. IN THE RECORDS OF THE DEEDS & PLATS OF SAID COUNTY,
IN BOOK VOLUME 9542 ON PAGE 170
IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS 14th DAY OF Feb A.D. 1999

Geary Rickhoff
COUNTY CLERK, BEXAR COUNTY, TEXAS
BY: *[Signature]* DEPUTY

PLAT NO. 960093

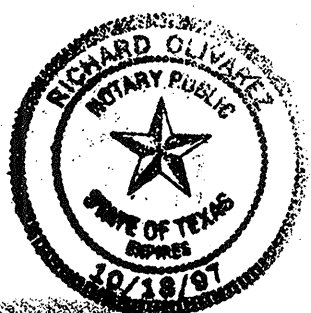
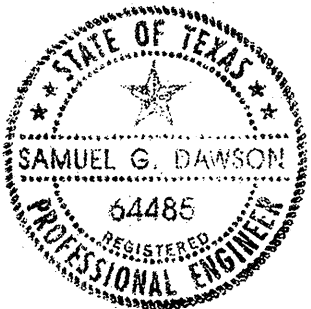
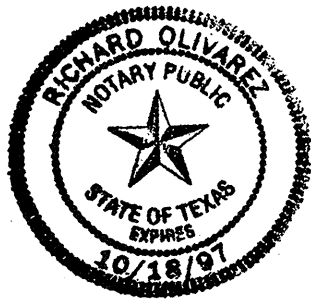


SCALE: 1" = 100'



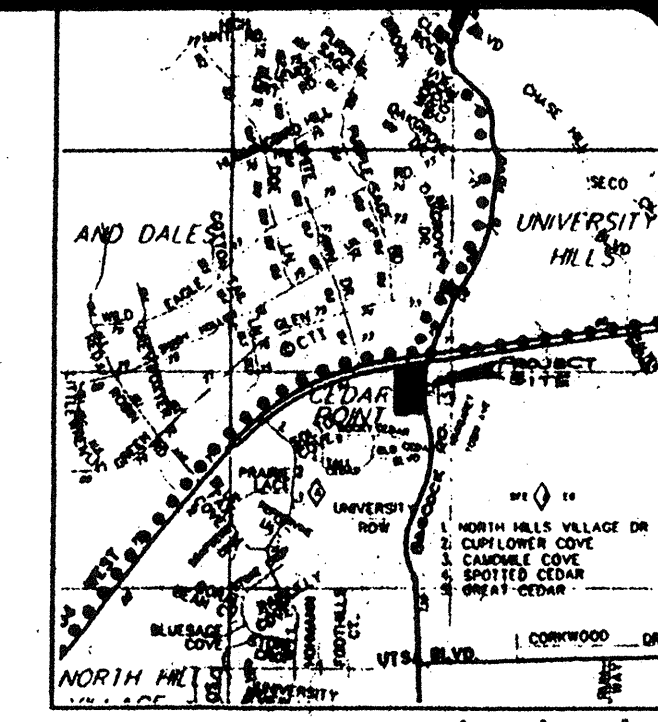
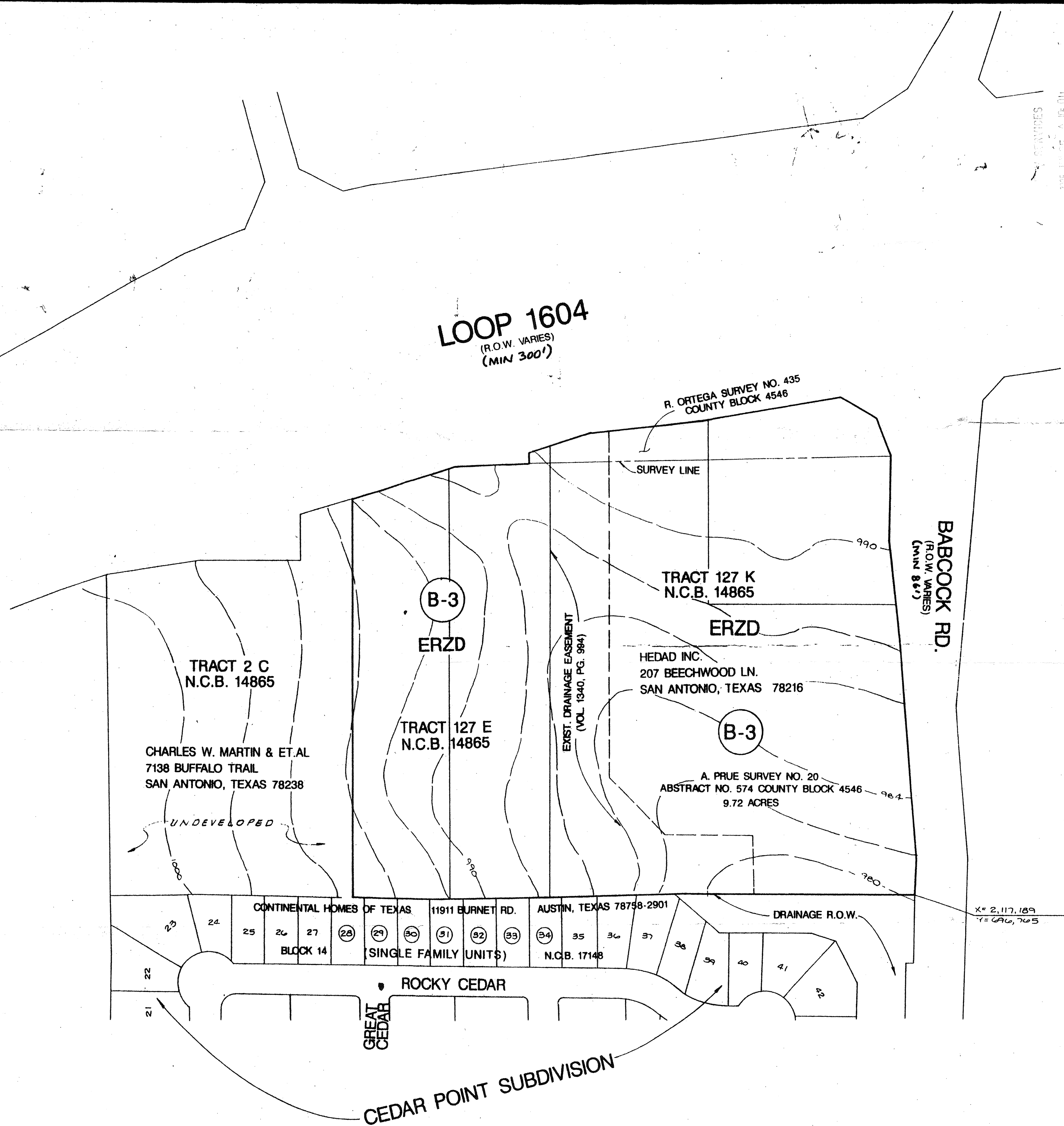
LOCATION MAP N.T.S.

0-388



05-01-046

3551.04



PLAN HAS BEEN ACCEPTED
BY THE CITY OF SAN ANTONIO
ANTONIO DEVELOPMENT REVIEW COMMITTEE
Date: 1-19-95
File # 451
Signed: [Signature]

Scale: 1"=100'

PRELIMINARY OVERALL AREA DEVELOPMENT PLAN
for
1604/BABCOCK ENTERPRISE ZONE
14.7 ACRES

PAPER-DAWSON ENGINEERS
CIVIL & ENVIRONMENTAL
9310 BROADWAY, BUILDING II
SAN ANTONIO, TX 78217-5987
210/824-9494
FAX 824-3491

JOB NO. 3551.00
DATE 12-21-94
DESIGNER J.B.
CHECKED D.R. DRAWN M.E.
SHEET 1 OF 1

DEVELOPER:
SAM S. MILLER
7711 LOUIS PASTEUR STE. 300
SAN ANTONIO, TEXAS 78228-3401

NOTE: THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN AS
DELINEATED ON F.I.R.M. PANEL 480045-0001B DATED DECEMBER 15, 1983.



City of San Antonio
Development Services Department
Vested Rights Permit/Consent Agreement
APPLICATION

Permit File: # **05-01-046**
Assigned by city staff

Date: January 19, 2005

☒ **Vested Rights Permit**

☐ **Consent Agreement**

1. All applicable information on application must be legibly printed or typed for processing. *If application is completed on behalf of the property owner please attach power of attorney or letter of agent.*
2. Please complete subject of application and attach 2 sets of all applicable documents (i.e. this application, Master Development Plan, P. U.D. plan, plat application, approved plat, building permit) along with appropriate fee.

*Note: All Applications must comply with the Unified Development Code (UDC),
Section 35-B124 Vested Rights Determination for the City of San Antonio.*

(a) **Owner/Agent:** Sam and Dottie Miller **Contact:** Steve Drenner, Attorney for Owner

Phone: 512-404-2201 **Fax:** 512-404-2244
Address: 301 Congress Ave., Suite 1200

City: Austin **State:** TX **Zip code:** 78701

Engineer/Surveyor: Dennis Rion, Pape-Dawson Engineers

Address: 555 E. Ramsey **Phone#:** 210-375-9000

City: San Antonio **State:** TX

Zip code: 78216

(b) **Name of Project:** 1604/Babcock Enterprise Zone

(c) (k) **Site location or address of Project and Legal description:**

14.72 acres located at the southwest corner of Loop 1604 and Babcock

Consisting of:

(1) 8.72 acres, NCB 14865 BLK LOT W IRR, 342.23' OF S PT OF 127K

(2) 5.00 acres, NCB 14865 BLK LOT 127E

(3) 1.00 acres, NCB 14865 BLK 1 LOT 1, 1604/Babcock Enterprise Zone, Unit-1

Council District 8 ETJ yes Over Edward's Aquifer Recharge? (✓) yes () no

3. What is the specific Project and the expected use(s) to be created by this Project (type of development, number of buildings, type of building(s), specific use(s) of those buildings, etc.)? *Please be aware that the city must understand exactly what this Project is expected to accomplish in order to evaluate this application.*

(d) Total land use, in square feet 641,203 sq.ft.
 (e) Total area of impervious surface, in square feet 590,000 sq.ft.
 (f) Number of residential dwellings units, by type; N/A
 (g) Type and amount of non-residential square footage; 300,000 sq.ft. of community commercial (office or retail)
 (h) Phases of the development, (If Applicable); multiple (est. 1-5)

4. What is the date the applicant claims rights vested for this Project? January 19, 1995

(i) Verified or certified copies of all development permits, contracts, appraisals, reports, correspondence, letters, or other documents or materials upon which the Applicant's claim for vested rights or equitable estoppel is based;

In addition to the required processing as set forth above, an Application for Consent Agreement Approval shall include, but shall not be limited to the following: a timing and phasing plan for the proposed development; a plan for the provision of public facilities and services to the proposed development, by phase; the conditions under which the proposed development will be authorized to proceed; and the conditions under which approvals or permits will lapse or may be revoked. A document shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the official with decision making authority for the permit application."

4 a. What, if any, construction or related actions have taken place on the property since that date?

5. By what means does the applicant claim rights vested for this Project? *Please specify all that may be applicable.*

- PERMIT

Type of Permit: Development Rights Permit Date of Application: 4-20-98
 Permit Number: 188 Date issued: 4-29-98
 Expiration Date: 9-1-07 Acreage: 14.7

Permit File # 05-01-046

MASTER DEVELOPMENT PLAN (MDP) (Formerly POADP)*

accepted *prior to September 1, 1997* are subject to permit right conditions within 18 months from the effective date of the development rights ordinance (9/25/97) and projects submitted *after September 1, 1997* are subject to 18 months for the POADP acceptance date.

Name: 1604/Babcock Enterprise Zone # 451

Date accepted: 1-19-95 Expiration Date: _____ MDP Size: 14.7 acres

P.U.D. PLAN

Name: _____ # _____

Date accepted: _____

• **Plat Application**

Plat Name: _____ Plat # _____ Acreage: _____

Date submitted: _____ Expiration Date: _____

(Note: Plat must be approved within 18 months of application submittal date).

• **Approved Plat**

Plat Name: 1604/Babcock Enterprise Zone Unit 1 Plat # 960093 Acreage: 1.00 Approval

Date: 6-10-96 Plat recording Date: 2-12-99 Expiration Date: _____ Vol./Pg. 9542/170

(Note: If plat is not recorded within 3 years of plat approval permit rights will expire).

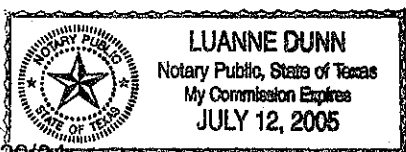
• **Other**

Note: Filing a Knowingly false statement on this document, or any attached document, is a crime under 37.02 and 37.10 of the Texas Penal Code, punishable as a state jail felony by up to two years in jail and fine of up to \$10,000.

I hereby certify that all information this Application and the attached documents is true and correct and that it is my belief the property owner is entitled to Vested Rights for this Project.

Print name: Stephen O. Drenner Signature: [Signature] Date: 1/18/05

Sworn to and subscribed before me by Stephen O. Drenner on this 18th day of January in the year 2005, to certify which witness my hand and seal of office.



[Signature]
Notary Public, State of Texas

7/29/04

City of San Antonio use

Permit File: # 05-01-046

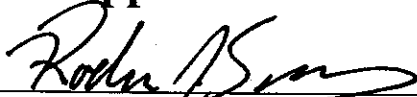
Assigned by city staff

Date: 2/14/05

☒ **Approved**

☐ **Disapproved**

Review By: _____



Development Services Department

Date: _____

Comments: As of January 19, 1995 as project has an active DRP that expires September 1, 2007.

All appeals and resubmittals must be filed with the Director of Development Services within fifteen (15) calendar days from the date the applicant is notified of the adverse decision or action taken under these requirements. Appeals and resubmittals made after fifteen (15) calendar days will not be accepted.

City of San Antonio Development Permit Application

 Permit File # 188

assigned by city staff

All applicable information on application must be legibly printed or typed for processing. If application is completed on behalf of the property owner, please attach power of attorney or letter of agent.

1. Owner/Agent Sam & Dottie Miller
2. Address 7711 Louis Pasteur, Suite 300, San Antonio, Texas
3. Zip: 78229 Telephone # _____
4. Site location or address Southwest intersection of Loop 1604 and Babcock Road
5. Council District 8 ETJ Yes Over Edward's Aquifer Recharge (✓) yes () no

Please complete subject of application and attach 2 sets of all applicable documents (ie this application, POADP, plat application, approved plat, building permit or evidence of development infrastructure cost).

POADP'S accepted prior to September 1, 1997 are subject to permit right conditions within 18 months from the effective date of the development rights ordinance (9/25/97) and projects submitted after September 1, 1997 are subject to 18 months of the POADP acceptance date.

Name 1604/Babcock Enterprise Zone # 451

Date Accepted: January 19, 1995 Expiration Date: _____

POADP Size 14.7 acres (if applicable, list plats representing 8% of POADP area on the backside of this application.)

Infrastructure cost incurred \$ _____ (Note: for POADP's <1000ac, cost incurred must be at least \$500,000 and for areas >1000ac, expenditures must be at least \$1,000,000).

% of area plat approved/disapproved 8 %

Note: 8% of POADP area must be plat approved or infrastructure cost incurred must exceed amount designated by code or 50% of POADP must be platted/developed to maintain permit rights.

Plat Application

Plat Name: _____ # _____

Date submitted: _____ Expiration Date: _____

(Note: Plat must be approved within 18 months of application submittal date).

Approved Plat

Plat Name: 1604/Babcock Enterprise Zone Unit 1 #960093 Approval Date: 06/10/96 Plat Recording

Date: _____ Expiration Date: 06/09/99 Vol./Pg. _____

(Note: If plat is not recorded within 3 years of plat approval permit rights will expire).

Building Permit Site Plan

Plat # _____ Site Address: _____

Date permit issued: _____

(Note: Permits rights will expire if construction is not started within 6 months of issuance).

I certify that the above information and the attached documents relative to this application are true and correct and I authorize the verification of all financial related documents. Also attached, if applicable, are letters or affidavit from a financial institute or certified public accountant certifying expenditures incurred for development infrastructure.

Applicant's Signature

Date

3551001WORDFORMS980415A1

TPLTM260

PLANNING COMMISSION/RECORDATION

04/29/98

CMD: 260 PLAT: 1996000093 NAME/KEY: NEW AGENCY: _____

PLAT NBR: 1996000093 PLAT NAME: 1604/BABCOCK ENTERPRISE ZONE U1

APPLICATION DATE:	1 3 1996	EXPIRATION DATE:	1 2 1998
REPLAT PUBLIC HEARING DATE:	— — —	REPLAT EXPIRATION:	— — —
DEFERRAL APPROVAL DATE:	— — —	DEFRL NOTFC DATE:	— — —
NOTIFICATION DATES:	— — —	DEFRL EXP DATE:	— — —
FILING DATE:	5 28 1996	FILING EXPIRATION:	6 27 1996
PC DATE:	— — —	APPROVED (Y/N) :	Y
DIRECTOR DATE:	6 10 1996	APPROVAL EXPIRATION:	6 10 1999
POSTPONEMENT/WITHDRAWAL:	— — —	TIME EXT EXPIRATION:	— — —
COUNTY STATUS (A/D/P):	—	DATE TIME EXT GRANTED:	— — —
RECORDATION DATE:	— — —	DATE:	— — —
PC NOTES:	— — —	VOL:	— — —
	— — —	PAGE:	— — —

'PF3' MENU

SERVICES
JUN 25 A 10 04

**DRENNER STUART WOLFF
METCALFE VON KREISLER, LLP**

301 CONGRESS AVENUE, SUITE 1200
AUSTIN, TEXAS 78701
PH. (512) 404-2200

GUARANTY BANK
AUSTIN DOWNTOWN BANKING CENTER
88-7066-3149

8041

8041

Five Hundred and 00/100

DATE AMOUNT
01/18/05 \$*****500.00

PAY City of San Antonio
TO THE P. O. Box 839966
ORDER San Antonio, TX 78283
OF

NOT VALID AFTER 180 DAYS



⑈008041⑈ ⑆314970664⑆ 3800586822⑈

NEW SERVICES

2005 JUN 25 A 10:04